



01-31-05

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re United States Patent Application of: )  
Applicants: YANG, Meidong, et al. ) Docket No.: 4239-108  
Application No.: 10/742,321 ) Examiner: OGDEN JR,  
Date Filed: December 19, 2003 ) Necholus  
Title: SKIN AND HAIR ) Art Unit: 1751  
CLEANSERS CONTAINING ) Confirmation No.: 5775  
SULFUR )

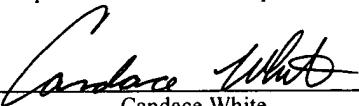
RECEIVED  
FEB 09 2005  
TC 1700

EXPRESS MAIL CERTIFICATE

I hereby certify that I am mailing the attached documents to the Commissioner for Patents on the date specified, in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, and Express Mailed under the provisions of 37 CFR 1.10.

OK  
to  
Enter  
etc

GREGORY MILLS  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 1700

  
Candace White

January 28, 2005

Date

EO 003 847 268 US

Express Mail Label Number

---

THIRD-PARTY SUBMISSION OF PATENTS OR PUBLICATIONS IN  
U.S. PATENT APPLICATION NO. 10/742,321 PUBLISHED ON DECEMBER 23, 2004 AS  
U.S. PATENT APPLICATION PUBLICATION NO. 2004/0259744

---

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Sir:

02/04/2005 BABRAHA1 00000082 10742321	
01 FC:1806	180.00 OP
02 FC:1464	130.00 OP

Pursuant to 37 C.F.R. §1.99, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached Third-Party Submission of Patents or Publications in a Published Application.

Further enclosed herewith are:

- (1) copies of the listed references;

- (2) a Credit Card Payment form authorizing the Office to charge the \$310.00 official fees, which includes the \$180.00 fee set forth in §1.17(p) as required by 37 C.F.R. §1.99(b) and the \$130.00 processing fee set forth in §1.17(i) as required by 37 C.F.R. §1.99(e), to the credit card specified therein; and
- (3) a self-addressed postcard for the official acknowledgement by the Office that this Submission has been received.

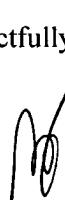
This Submission could not have been submitted to the Office earlier, because neither the undersigned attorneys nor River's Edge Pharmaceuticals, who is the third party represented by the undersigned attorneys, were in possession of a copy of the subject patent application until January 6, 2005.

Therefore, this Submission complies with the requirements of 37 C.F.R. §1.99(e), with payment of the \$130.00 processing fee set forth in §1.17(i).

This Submission is concurrently served upon the attorney of record for the applicants in accordance with the requirements of 37 C.F.R. §1.99(c) and §1.248. A certificate of service is attached.

It is respectfully requested that the information contained in the attached Third-Party Submission of Patents or Publications in a Published Application be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

Respectfully submitted,



---

Steven J. Hultquist  
Reg. No. 28,021  
Attorney for Third Party



---

Tristan A. Fuierer  
Reg. No. 52,926  
Attorney for Third Party

INTELLECTUAL PROPERTY/  
TECHNOLOGY LAW  
Telephone: (919) 419-9350  
Fax: (919) 419-9354  
Attorney Ref: 4239-108



### CERTIFICATE OF SERVICE

I hereby certify that on this 28th day of January, 2005, a true and correct copy of the foregoing THIRD-PARTY SUBMISSION OF PATENTS OR PUBLICATIONS IN U.S. PATENT APPLICATION NO. 10/742,321 PUBLISHED ON DECEMBER 23, 2004 AS U.S. PATENT APPLICATION PUBLICATION NO. 2004/0259744 was served via First Class U.S. Mail on:

David H. Bernstein, Esq.  
DEBEVOISE & PLIMPTON LLP  
919 Third Avenue  
New York, NY 10022

*Candace White*  
Candace White

RECEIVED  
FEB 09 2005  
TC 1700



### CERTIFICATE OF SERVICE

I hereby certify that on this 28th day of January, 2005, a true and correct copy of the foregoing THIRD-PARTY SUBMISSION OF PATENTS OR PUBLICATIONS IN U.S. PATENT APPLICATION NO. 10/742,321 PUBLISHED ON DECEMBER 23, 2004 AS U.S. PATENT APPLICATION PUBLICATION NO. 2004/0259744 was served via First Class U.S. Mail on the attorney of record for the applicants:

Howard Eisenberg, Esq.  
Registration No. 36,789  
2206 Applewood Court  
Perkasie, Pennsylvania 18944

*Candace White*  
Candace White

RECEIVED  
FEB 09 2005  
TC 1700